

Exhibit B

Declaration of Devin Malinowski Pursuant to 28 U.S.C. § 1746

I, Devin Malinowski, hereby make the following declaration based upon my personal knowledge:

1. I am a Digital Forensics Investigator for the Commodity Futures Trading Commission's ("CFTC" or "Commission") Division of Administration, 1155 21st Street, N.W., Washington, D.C. 20581. I have been a Digital Forensics Investigator with the CFTC since August 2018. Some of my routine duties involve preserving websites and other internet-related content to be used as evidence in Commission actions.

2. On June 14, 2023, at the request of Division of Enforcement ("DOE") staff, I downloaded the following URL from the My Forex Funds ("MFF") website, as it appeared on that date: <https://myforexfunds.com/checkout/>. I preserved the foregoing listed URL using a program called "PageVault." Once the URL was preserved, I converted it to a Portable Document Format ("PDF") file. The PDF, which constitutes a true and accurate copy of the checkout page from the MFF website, is attached hereto as Ex. B-1.

3. On September 15, 2023, at the request of DOE staff, I analyzed source code from the previously-preserved version of the MFF website's checkout page. The source code, which can be viewed using the "view page source" function of any modern internet browser, shows a number of "plugins" integrated into the checkout page. A plugin is a package of code that extends the functionality of a website. The checkout page of the MFF website integrates a plugin referred to in the source code as "woocommerce-payments". The source code reflects that "Confirмо" had been

selected by the user, i.e., the administrator of the MFF website, as the “method” of payment for customer payments using Bitcoin or other cryptocurrencies via the “woocommerce-payments” plugin. At the request of DOE staff, I converted the source code to a PDF file. The PDF, which constitutes a true and accurate (but excerpted) copy of the foregoing item, is attached hereto as Ex. B-2.

4. Confirмо appears to be a company that allows businesses to accept cryptocurrency payments online. Confirмо maintains a public code repository through a website called Github. Confirмо’s code repository states on the opening page of the “confirмо-woocommerce” repository that My Forex Funds is one of the businesses that uses Confirмо’s services. The code repository also provides instructions for how businesses can select Confirмо as the method of payment for cryptocurrency payments via the “woocommerce-payments” plugin.

5. At the request of DOE staff, I downloaded and preserved copies of Confirмо’s Github repository. Once this item was preserved, I converted it to a PDF file. The PDF, which constitutes a true and accurate copy of the foregoing item, is attached hereto as Ex. B-3.

I declare under penalty of perjury that the foregoing is true and correct.

September 18, 2023

Devin Malinowski

Devin Malinowski
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